



**CITY OF SCOTTSDALE
PERSONNEL BOARD
HEARING**

8:30 a.m., Tuesday, August 14, 2012
Human Resources Pinnacle Training Room
7575 E. Main Street
Scottsdale, Arizona 85251

MINUTES

PRESENT

Board Members: June Cohen (Chair)
Lyle Ferger (Vice Chair)
John Tutelman
Jennifer Pollock, Board Legal Counsel
Bernadette La Mazza, Human Resources Manager

Respondent: Bill Murphy
William Hylan, Respondent Counsel

Appellant: Colleen Domigan **Staff:** Vicki Coe
Valerie Wegner

Respondent	Judy Dewey	
Witnesses:	Kathryn Breen	Others: Jim Allen
	Daniel Gallegos	Jan Cameron
	Eugenio Munoz-Villafane	Raudel Castanon
		Angela McCray
Appellant	Suzanne Maya	Sue Santee
Witnesses:	Pat Leos	Sherry Scott, Esq.
		Janet Williams
		Terry Welker

CALL TO ORDER

Chair Cohen called the Personnel Board regular meeting to order at 8:30 a.m. Roll call confirmed the presence of Board members as noted.

1. APPROVAL OF MINUTES OF PUBLIC MEETING CONDUCTED ON JUNE 12, 2012

BOARD MEMBER TUTELMAN MOVED TO APPROVE THE MINUTES OF THE JUNE 12, 2012 PUBLIC MEETING AS AMENDED. BOARD MEMBER FERGER SECONDED. THE MOTION CARRIED UNANIMOUSLY BY A VOTE OF THREE (3) TO ZERO (0).

2. HEARING ON APPEAL OF DEMOTION OF COLLEEN DOMIGAN

The hearing convened at 8:35 a.m. with introductions of the Board, Appellant Party, and Respondent Party. Chair Cohen then stated the authority of the Board and the rules of order that were to apply during the hearing.

Chair Cohen called for the witnesses, asked each one to stand, raise their right hands, and then administered the oath.

Chair Cohen asked if either Party wished to exclude any or all witnesses from hearing the testimony of others, and both parties responded that they were comfortable having their witnesses stay in the room to hear all testimonies.

Chair Cohen asked Bernadette La Mazza, Human Resources Manager, to enter into the record the case to be heard by the Board.

Chair Cohen asked each Party to make a brief opening statement of not more than 10 minutes. Mr. Murphy, Respondent, proceeded first and then Ms. Domigan gave her opening statement.

Chair Cohen asked Mr. Murphy to present the Respondent's evidence and call witnesses in support of the charges. Upon the conclusion of all of Respondent's testimony, cross examination, and questions by the board members, Chair Cohen asked Ms. Domigan to present the Appellant's evidence and call witnesses in support of the appeal. Upon the conclusion of all testimony, cross examination, and questions by the board members, Chair Cohen excused the witnesses and called for a half hour lunch break until 12:35 p.m.

Chair Cohen called the meeting back to order at 12:38 p.m. and asked for summations. She explained that each Party would have up to 10 minutes each to present a summation of their positions, beginning with the Respondent. Upon the conclusion of Mr. Murphy's summation, Ms. Domigan presented for herself.

3. MOTION TO RECESS INTO EXECUTIVE SESSION

The Board agreed there was no need to recess into Executive Session.

4. DISCUSSION OF EVIDENCE AND DELIBERATION BY BOARD

Chair Cohen asked Ms. La Mazza to assist in recording the findings of fact, their conclusions and recommendation to the City Manager as they were discussed by the Board members.

5. ADOPTION OF FINDINGS OF FACT, CONCLUSIONS AND RECOMMENDATION TO CITY MANAGER

Chair Cohen entertained a motion for the findings of fact and conclusions to be entered into the record which was so moved by Board Member Tutelman, seconded by Chair Cohen, and then carried by a vote of two (2) to one (1). Vice-chair Ferger opposed.

Board Member Tutelman made a motion for the recommendation of the Board to the City Manager to be entered into the record which was seconded by Board Member Ferger, and then carried by a vote of two (2) to one (1). Chair Cohen opposed.

The hearing adjourned at 1:30 p.m.

6. ADJOURNMENT

With no further business to discuss, the meeting adjourned at 1:35 p.m.

Respectfully submitted,
Bernadette La Mazza
Human Resources Manager

Reviewed by,
June Cohen
Chairperson, Personnel Board